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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,068	04/26/2001	Richard D. Hoffman	AUS920010138US1	8481
7590 12/23/2004			EXAMINER	
Frank C. Nicholas CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, IL 60201			CAMPBELL, JOSHUA D	
			ART UNIT	PAPER NUMBER
			2179	
DATE MAILED: 12/23/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,068

Applicant(s)

HOFFMAN ET AL.

Examiner

Joshua D Campbell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152:

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 10/05/2004.
2. Claims 1-18 are pending in this case. Claims 1, 4, 7, 10, 13, and 16 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 remain rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel (hereinafter Excel, Microsoft Excel 2000, released in 1999).

Regarding independent claim 1, Excel discloses a method in which an option is provided to trigger the conversion of a spreadsheet into a comma-separated file (Figure 2 of Excel). Excel also discloses a method in which the spreadsheet contains metadata (i.e. location of data, rows, columns, format, etc.) (Figure 1 of Excel)

Regarding dependent claim 2, Excel discloses a method in which the spreadsheet is converted into the comma separated value file in response to the activation of the command (Figure 2 of Excel). Excel also discloses that a comma-separated file can be parsed and metadata objects can be created as a result from the information in the file (Figures 3-5 of Excel).

Regarding dependent claim 3, Excel discloses a method in which metadata may be input into the spreadsheet (Figure 1 of Excel).

Regarding independent claim 4, Excel discloses a method in which an option is provided to trigger the conversion of a spreadsheet into a comma-separated file (Figure 2 of Excel). Excel also discloses a method in which the spreadsheet contains metadata (i.e. location of data, rows, columns, format, etc.) (Figure 1 of Excel). Metadata directives are included in the formatting to show where the specific metadata is stored (i.e. column and row) (Figure 4 and 5 of Excel).

Regarding dependent claim 5, Excel discloses a method in which the spreadsheet is converted into the comma separated value file in response to the activation of the command (Figure 2 of Excel). Excel also discloses that a comma-separated file can be parsed and metadata objects can be created as a result from the information in the file (Figures 3-5 of Excel). Metadata directives are included in the formatting to show where the specific metadata objects are stored (i.e. column and row) (Figure 4 and 5 of Excel).

Regarding dependent claim 6, Excel discloses a method in which metadata may be input into the spreadsheet (Figure 1 of Excel). Metadata directives are included in the formatting based on inputs to show where the specific metadata is stored (i.e. column and row) (Figure 4 and 5 of Excel).

Regarding independent claim 7 and dependent claims 8 and 9, the claims incorporate substantially similar subject matter as claims 1-3. Thus, the claims are rejected along the same rationale as claims 1-3.

Regarding independent claim 10 and dependent claims 11 and 12, the claims incorporate substantially similar subject matter as claims 4-6. Thus, the claims are rejected along the same rationale as claims 4-6.

Regarding independent claim 13 and dependent claims 14 and 15, the claims incorporate substantially similar subject matter as claims 1-3. Thus, the claims are rejected along the same rationale as claims 1-3.

Regarding independent claim 16 and dependent claims 17 and 18, the claims incorporate substantially similar subject matter as claims 4-6. Thus, the claims are rejected along the same rationale as claims 4-6.

Response to Arguments

5. Applicant's arguments filed 10/05/2004 have been fully considered but they are not persuasive.

Regarding the applicant's argument that Microsoft Excel can not be interpreted as teaching metadata objects, metadata information, and metadata directives as recited in claims 1-18, it is shown in the previous rejection that the spreadsheet program taught by Microsoft Excel teaches metadata objects, metadata information, and metadata directives in the form of location information like that used in the equation bar "`=SUM(B1:B2)`" in Figure 1 in which the objects B1 and B2 are metadata objects that describe the location and reference the actual data contained in those cells, and the `=SUM()` is a directive for processing metadata in order to properly generate the data in the spreadsheet file. The objects B1 and B2 can also be considered directive because

they are used to determine the location, thus how the data is processed, of the data in relation to the comma-delimited file. The use of the term metadata as noted by the applicant, simply means data for describing other data; this broad term encompassed all possible data used for description of data (i.e. i.e. location of data, rows, columns, format, etc.) which is clearly disclosed by Microsoft Excel as applied in the previous references.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
December 13, 2004


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100